

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Robert A. Ries,

Civ. No. 10-1715 (JNE/JJK)

Plaintiff,

v.

Order

Winona County,

Defendant.

Robert A. Ries, 23844 Westwood Road, Trempealeau, WI 54661, *pro se*.

Mary A. Rice, Esq., Fafinski Mark & Johnson, PA, counsel for Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated May 6, 2011. No objections have been filed to that Report and Recommendation in the time period permitted. Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Defendant's Motion for Summary Judgment (Doc. No. 81), is

GRANTED;

2. Plaintiff's Motion for Summary Judgment (Doc. No. 67), is **DENIED;**

and

3. This case is **DISMISSED WITH PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY

Date: 6-1-2011

s/ Joan N. Ericksen _____
Joan N. Ericksen
United States District Judge